

EXHIBIT D

Smith, Hannah M.

From: Williams, Hilary M. <williamsh@sullcrom.com>
Sent: Friday, August 4, 2023 11:12 AM
To: Thompson, Tasha N.; tiffany@mmmb.com; murray@mmmb.com; murphy@mmmb.com; moul@mmmb.com; misny@mmmb.com; JForge@rgrdlaw.com; LOlts@rgrdlaw.com; RCocalis@rgrdlaw.com; TLiu@rgrdlaw.com; DarrenR@rgrdlaw.com; MarkS@rgrdlaw.com; DHutton@rgrdlaw.com; BCochran@rgrdlaw.com; DavidM@rgrdlaw.com; jshinnfield@rgrdlaw.com; FirstEnergyRGRD@rgrdlaw.com; MAlpert@rgrdlaw.com; TomE@rgrdlaw.com; TorG@rgrdlaw.com; AshleyK@rgrdlaw.com; KSciarani@rgrdlaw.com; JKelley@rgrdlaw.com; OKeita@rgrdlaw.com; CKopko@rgrdlaw.com; gjritts@jonesday.com; rfaxon@jonesday.com; sgsozio@jonesday.com; calee@jonesday.com; afmueller@jonesday.com; sscheinberg@jonesday.com; mpduffy@jonesday.com; jbaumann@jonesday.com; tom.warren@warrenterzian.com; ttborland@jonesday.com; rharmanis@jonesday.com; sgoyal@jonesday.com; McCaffrey, John F.; Favret, John A.; Ruttinger, Michael J; Smith, Hannah M.; dwebb@winston.com; sgrimes@winston.com; dmansfield@lmng-law.com; michael.kichline@morganlewis.com; laura.mcnally@morganlewis.com; emily.kimmelman@morganlewis.com; karen.pohlmann@morganlewis.com; pburton@orrick.com; bmurphy@orrick.com; jwinter@orrick.com; adam.miller@orrick.com; bpo@santenhughes.com; veronica.callahan@arnoldporter.com; aaron.miner@arnoldporter.com; yiqing.shi@arnoldporter.com; andrew.johnson@arnoldporter.com; jarnold@arnlaw.com; ggossnell@arnlaw.com; ebenshoff@jonesday.com; kberger@jonesday.com; dwallace@taftlaw.com; jmitchell@taftlaw.com; mzbiegen@taftlaw.com; khughesblaum@taftlaw.com; dwarren@bakerlaw.com; crendon@bakerlaw.com; dshively@bakerlaw.com; jdunnaback@bakerlaw.com; risrael@bakerlaw.com; gstamboulidis@bakerlaw.com; katsifft@ballardspahr.com; axelrodd@ballardspahr.com; mckeevassalloe@ballardspahr.com; teaberryj@ballardspahr.com; wilsonbm@ballardspahr.com; jfairweather@brouse.com; ldelgrosso@brouse.com; sscholes@mwe.com; phelms@mwe.com; sfenton@mwe.com; vawalton@vorys.com; jmbrunner@vorys.com; apguran@vorys.com; rtrafford@porterwright.com; dbloomfield@porterwright.com; zzExt-Brian.weinstein; zzExt-eric.kim; joshua.shinbrot@davispolk.com; zzExt-shanaye.carvajal; lee.stein@davispolk.com; andrea.michelcic@davispolk.com; daniel.nitzani@morganlewis.com; bcasten@mwe.com; tcoleman@bakerlaw.com; dortiz@bakerlaw.com; tashby@arnlaw.com; ludovicic@taftlaw.com; mjmeyer@vorys.com; bhayes@orrick.com; Eotoole@mwe.com; emily.wheeling@morganlewis.com; mmiarmi@lchb.com; jnicolaou@lchb.com; msheen@lchb.com; rheimann@lchb.com; rtexier@lchb.com; Matthew.Fornshell@icemiller.com; Nicole.Woods@icemiller.com
Cc: Giuffra Jr., Robert J.; Nelles, Sharon L.; Rein, David M.J.; Newton, Beth D.; Shields, Kamil R.; Menillo, Nicholas F.; Tom Warren
Subject: RE: In re FirstEnergy - Dowling Documents

<<< EXTERNAL EMAIL >>>

Counsel,

We were informed last night that Plaintiffs did not agree to Mr. Dowling's request to adjourn his deposition until after the production of calendar entries and expense reports that, as we advised earlier this week, we anticipate completing

by August 31. We understand that the dispute over the scheduling of Mr. Dowling's deposition will be raised with the Court early next week. In light of these developments, we confirmed this morning that we may disclose to the parties that certain governmental authorities have requested the production of the entire contents of iPad and iPhone devices used by Mr. Jones or Mr. Dowling from January 1, 2016 through December 31, 2020. In keeping with the protocol in this matter, those documents will be produced to all parties, and we expect to do so at approximately the same time that production is made to the requesting governmental authorities. Mr. Dowling and Mr. Jones used more than a dozen devices during the relevant time period, and processing and reviewing the contents of those devices requires substantial processing time and then time to review for confidentiality and privilege. We are working to complete the review as quickly as possible, and expect to make these productions on or about September 15, 2023.

Regards,
Hilary

Hilary M. Williams

[+1 212 558 4128](tel:+12125584128) (T) | [+1 917 573 1223](tel:+19175731223) (M)

From: Thompson, Tasha N. <thompsons@tasc.com>

Sent: Wednesday, August 2, 2023 8:10 PM

To: tiffany@mmmb.com; murray@mmmb.com; murphy@mmmb.com; moul@mmmb.com; misny@mmmb.com; JForge@rgrdlaw.com; LOlts@rgrdlaw.com; RCocalis@rgrdlaw.com; TLiu@rgrdlaw.com; DarrenR@rgrdlaw.com; MarkS@rgrdlaw.com; DHutton@rgrdlaw.com; BCochran@rgrdlaw.com; DavidM@rgrdlaw.com; jshinnefield@rgrdlaw.com; FirstEnergyGRD@rgrdlaw.com; MAIpert@rgrdlaw.com; TomE@rgrdlaw.com; TorG@rgrdlaw.com; AshleyK@rgrdlaw.com; KSciarani@rgrdlaw.com; JKelley@rgrdlaw.com; OKeita@rgrdlaw.com; CKopko@rgrdlaw.com; gjritts@jonesday.com; rfaxon@jonesday.com; sgsozio@jonesday.com; calee@jonesday.com; afmueller@jonesday.com; sscheinberg@jonesday.com; mpduffy@jonesday.com; jbaumann@jonesday.com; tom.warren@warrenterzian.com; ttborland@jonesday.com; rharmanis@jonesday.com; sgoyal@jonesday.com; john.mccaffrey@tuckerellis.com; john.favret@tuckerellis.com; michael.ruttinger@tuckerellis.com; hannah.smith@tuckerellis.com; dwebb@winston.com; sgrimes@winston.com; dmansfield@lmng-law.com; michael.kichline@morganlewis.com; laura.mcnally@morganlewis.com; emily.kimmelman@morganlewis.com; karen.pohlmann@morganlewis.com; pburton@orrick.com; bmurphy@orrick.com; jwinter@orrick.com; adam.miller@orrick.com; bpo@santenhughes.com; veronica.callahan@arnoldporter.com; aaron.miner@arnoldporter.com; yiqing.shi@arnoldporter.com; andrew.johnson@arnoldporter.com; jarnold@arnlaw.com; ggosnell@arnlaw.com; ebenshoff@jonesday.com; kberger@jonesday.com; dwallace@taftlaw.com; jmitchell@taftlaw.com; mzbiegien@taftlaw.com; khughesblaum@taftlaw.com; dwarren@bakerlaw.com; crendon@bakerlaw.com; dshively@bakerlaw.com; jdunnaback@bakerlaw.com; risrael@bakerlaw.com; gstamboulidis@bakerlaw.com; katsiff@ballardspahr.com; axelrodd@ballardspahr.com; mckeevassalloe@ballardspahr.com; teaberryj@ballardspahr.com; wilsonbm@ballardspahr.com; jfairweather@brouse.com; ldelgrosso@brouse.com; sscholes@mwe.com; phelms@mwe.com; sfenton@mwe.com; vawalton@vorys.com; jmbrunner@vorys.com; apguran@vorys.com; rtrafford@porterwright.com; dbloomfield@porterwright.com; [zzExt-Brian.weinstein <Brian.weinstein@davispolk.com>](mailto:zzExt-Brian.weinstein@brianweinstein.com); [zzExt-eric.kim <eric.kim@davispolk.com>](mailto:zzExt-eric.kim@eric.kim@davispolk.com); joshua.shinbrot@davispolk.com; [zzExt-shanaye.carvajal <shanaye.carvajal@davispolk.com>](mailto:zzExt-shanaye.carvajal@shanaye.carvajal@davispolk.com); lee.stein@davispolk.com; andrea.michelcic@davispolk.com; daniel.nitzani@morganlewis.com; bcasten@mwe.com; tcoleman@bakerlaw.com; dortiz@bakerlaw.com; tashby@arnlaw.com; ludovicic@taftlaw.com; mjmeyer@vorys.com; bhayes@orrick.com; Eotoole@mwe.com; emily.wheeling@morganlewis.com; mmiarmi@lchb.com; jnicolaou@lchb.com; msheen@lchb.com; rheimann@lchb.com; rtexier@lchb.com; Matthew.Fornshell@icemiller.com; Nicole.Woods@icemiller.com

Cc: Giuffra Jr., Robert J. <giuffra@tasc.com>; Nelles, Sharon L. <Nelles@tasc.com>; Rein, David M.J. <reind@tasc.com>; Newton, Beth D. <newtonb@tasc.com>; Shields, Kamil R. <shieldska@tasc.com>; Menillo, Nicholas F. <Menillon@tasc.com>; Williams, Hilary M. <williamsh@tasc.com>; Tom Warren <tom.warren@warrenterzian.com>

Subject: In re FirstEnergy - Dowling Documents

Counsel,

We write to advise all parties of upcoming productions in response to requests from Messrs. Jones and Dowling that will include a significant volume of documents. In response to Lead Plaintiffs' Request for Production No. 8 ("RFP No. 8"), and consistent with its responses and objections and the parties' negotiations over production of ESI, FirstEnergy has previously produced calendar items and expense reports custodial to Messrs. Dowling and Jones that were identified using agreed-upon search parameters. As the parties know, on June 5, 2023, Messrs. Jones and Dowling requested that FirstEnergy produce all of their respective calendar entries and expense reports for the time period January 1, 2016 through July 21, 2020 in response to RFP No. 8, regardless of relevance or search terms. During the all-party meet and confer on July 11, we confirmed that FirstEnergy had agreed to this request, and was engaged in processing and reviewing those documents for confidentiality and privilege prior to production. In the interim, we have proceeded with this review.

We are providing notice today of the anticipated timing and volume of this production. At this point, FirstEnergy anticipates producing at least 70,000 calendar entries custodial to Mr. Dowling alone. Although we are working to produce the documents as quickly as possible, given the time needed to finalize the review, as well as the substantial time needed to process this volume of documents, we do not anticipate that the documents will be produced prior to Mr. Dowling's currently scheduled deposition. We currently expect to be able to produce the documents custodial to Mr. Dowling by August 31, although we are making every effort to do so more quickly.

Regards,
Tasha

Tasha N. Thompson
SULLIVAN & CROMWELL LLP
125 Broad Street | New York, NY 10004-2498
+1 212 558 3900 (T)
thomsontas@sullcrom.com | www.sullcrom.com

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